



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Tennessee Department of Agriculture  
Regulatory Services  
Ellington Agricultural Center  
P.O. Box 40627  
Nashville, TN 37204

**Effective Date:** June 1, 2017  
**Expiration Date:** September 30, 2017  
**Report Due:** March 30, 2018  
**File Symbol:** 17TN01

**Attn:** John Ewell

The U.S. Environmental Protection Agency hereby issues a specific exemption under the provisions of Section 18 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended, to the Tennessee Department of Agriculture for the use of sulfoxaflor (CAS Reg. No. 946578-00-3) on cotton to control tarnished plant bug (*Lygus lineolaris*) in Tennessee.

In the request, dated February 16, 2017, the Tennessee Department of Agriculture re-certified that the emergency condition still exists. The 2017 request includes an acreage increase of treated cotton, (240,000 acres). However, there were no changes to the use directions including the rates and type of application as approved in the last authorization dated June 7, 2016. This specific exemption is subject to the conditions set forth in your request, as well as the following conditions, modifications and restrictions:

1. The Tennessee Department Agriculture (TDA) is responsible for ensuring that all provisions of this specific exemption are met. TDA is also responsible for providing information in accordance with 40 CFR 166.32(b). Accordingly, a report summarizing the results of this program must be submitted to EPA Headquarters and the EPA Regional 4 office within 6 months following the expiration of this exemption or prior to requesting a subsequent specific exemption for this use. In accordance with 40 CFR 166.32(a), these offices shall also be immediately informed of any adverse effects resulting from the use of this pesticide in connection with this exemption.

2. The registered product, Transform<sup>®</sup> WG Insecticide (EPA Reg. No. 62719-625, containing 50% sulfoxaflor), manufactured by Dow AgroSciences, may be applied. All applicable directions for use, restrictions, and precautions on the EPA-registered product label including Worker Protection Standards must be followed, as well as those outlined on the Section 18 use directions submitted with your request, unless otherwise modified by this authorization document.
3. Foliar applications may be made by ground or air at a rate of 1.5-2.25 oz. of product (0.047-0.071 lb a.i.) per acre. A maximum of 4 applications may be made per year, resulting in a seasonal maximum application rate of 8.5 oz. of product (0.266 lb a.i.) per acre per year.
4. To minimize spray drift and potential exposure of bees when foraging on plants adjacent to treated fields, applications are prohibited above wind speeds of 10 miles per hour (mph).
5. Retreatments are prohibited within 5 days of application. A restricted entry interval (REI) of 24 hours applies to all applications.
6. Pre-harvest interval (PHI): Do not apply within 14 days of harvest.
7. A maximum of 240,000 acres of cotton fields may be treated in Tennessee.
8. **Environmental Hazards Statement:** “This product is highly toxic to bees exposed through contact during spraying and while spray droplets are still wet. This product may be toxic to bees exposed to treated foliage for up to 3 hours following application. Toxicity is reduced when spray droplets are dry. Risks to managed and native pollinators from contact with pesticide spray or residues can be minimized when applications are made before 7:00 am or after 7:00 pm local time or when the temperature is below 55 degrees Fahrenheit (°F) at the site of application.”
9. **Advisory Pollinator Statement:** “Notifying known beekeepers within 1 mile of the treatment area 48 hours before the product is applied will allow them to take additional steps to protect bees. If known apiaries are within one mile of cotton fields intended for treatment, applications should be made within three hours of sunset during the flowering period. Growers are advised to refer to and, where feasible, observe the cooperative standards outlined in the Tennessee Conservation Program for additional guidance and bee conservation stewardship efforts.
10. This specific exemption expires September 30, 2017.
11. Applications made in accordance with the above provisions are not expected to result in combined residues of sulfoxaflor, including its metabolites and degradates, in or on cotton commodities in excess of the following existing tolerances: cottonseed subgroup 20C at 0.20 ppm; cotton, gin byproducts at 6.0 ppm; cotton, hulls at 0.35 ppm. The Agency has determined that these levels are adequate to protect the public health. Tolerances in connection with a previous action have been established in the 40 CFR at 180.668(a).

12. This is the fourth year that a Section 18 has been requested for the use of sulfoxaflor on cotton to control tarnished plant bug. On October 14, 2016, the unregistered product, Transform® WG Insecticide, was reinstated.
13. Due to the potential for this emergency to continue into the 2018 growing season, EPA has made a preliminary determination that this use is eligible for a streamlined application next year under the re-certification program (40 CFR 166.20(b)(5)).

Any future correspondence regarding this exemption should refer to file symbol 17TN01.

If you have any questions regarding this authorization, please contact Emergency Response Team member Tamica Cain (703-347-8110; [cain.tamica@epa.gov](mailto:cain.tamica@epa.gov)) or the Emergency Response Team Leader, Tawanda Maignan (703-308-8050; [maignan.tawanda@epa.gov](mailto:maignan.tawanda@epa.gov)).



Michael L. Goodis, Director  
Registration Division  
Office of Pesticide Programs

Date: April 12, 2017

cc: Phillip Beard, USEPA Region 4  
Patricia Livingston, USEPA Region 4 Pesticide Tribal Coordinator